

Honorable Chairman and Members of the Judiciary Committee –

My name is Walt Hill, from Missoula, and I am here to speak in favor of the modifications to the indecency statute of the State of Montana. I grew up in Bozeman, and I was fortunate enough to return to Montana 45 years ago after getting my education. We love Missoula and have raised all of our children here. As you are well aware, Missoula is a very diverse town, yet there must be limits. Last fall Missoula crossed over those limits with the "Dare to Bare" bike ride through town. The City Council claimed that the State Statute on indecent exposure carried an intent element beyond the mere act of exposing oneself. This, coupled with the First Amendment "free speech" argument, made the Missoula Attorney and the other law enforcement individuals wary about enforcing it against the bike parade.

The modified bill before you eliminates the troublesome intent element, without impacting freedom of speech and expression. It also clarifies with detail what can be considered indecent. These elements can be found in other state and local statutes or ordinances and have been tested in the crucible of the courts. I want Montana to be known as a decent state, where people can live within the security of laws that protect their children and associates from degrading and indecent practices. I believe this bill, as written, would certainly bolster that reputation.

As you are aware, it's a long distance from Missoula to Helena, and were this hearing held in Missoula, there would be hundreds of voices expressing approval of this bill. A great many people in Missoula were offended by the bike ride and raised their voices against such indecent behavior at the local level, but had no support from the local government. Clarification of the State Statute is certainly needed to make it illegal for such inappropriate behavior to be allowed anywhere in the beautiful State of Montana. I encourage you to endorse this bill and make it a law to disallow indecent behavior.

*Walter E. Hill*